



COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
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PRESS RELEASE

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**PROBATE AND FAMILY COURT ANNOUNCES NEW STANDING ORDER 5-08 REGARDING
MEDICAL CERTIFICATES AND CLINICAL TEAM REPORTS**

The Probate and Family Court Department announces the implementation of Standing Order 5-08 regarding medical certificates and clinical team reports. The Standing Order requires that any party filing a petition for guardianship or a motion for temporary guardianship on the grounds of mental illness or physical incapacity or a petition for conservatorship or a motion for temporary conservatorship on the grounds of mental weakness file a medical certificate on a form approved by the Probate and Family Court. The medical certificate was significantly revised in April 2008 to require information necessary for the court to assess the functionality of the proposed ward and the need for a limited or full (plenary) guardianship.

The Standing Order will bring the revised medical certificate in compliance with the Health Insurance Portability and Accountability Act of 1996. The medical certificates and clinical team reports will be impounded and the inspection of these documents is limited to the Court, the attorneys whose appearance are entered in the case, the parties to the case, including the ward or proposed ward, any guardian *ad litem* appointed in the case and any Probation Officer assigned to the case. The Standing Order is available online at www.mass.gov/courts/courtsandjudges/courts/probateandfamilycourt

The new Standing Order shall become effective July 28, 2008.